

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shaher A. Ahmad
Serial No.: 10/645,739
Filing Date: August 21, 2003
Group Art Unit: 3733
Confirmation No.: 9156
Examiner: James L. Swiger III
Title: **BONE ANCHOR SYSTEM**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO ELECTION /RESTRICTION REQUIREMENT

In the Office Action mailed May 25, 2006, it is alleged that the application contains claims for three inventions that are distinct from each other. In response to the Office Action, Applicant elects, without traverse, to prosecute Group I (Claims 1-16, 30-32 and 36). Claims 17-24, 25-29 and 33-35 are withdrawn from the above-identified patent application without prejudice or disclaimer.

In addition, the Examiner indicates that Figures 4-8 represent patentably distinct species. The Examiner indicates that no current claims are generic. Applicant elects, with traverse the species of Figure 4. Applicant submits that Claims 1-5 and 10-35 are readable thereon. Applicant also submits that Claims 1-4, 10-15, 17-19, 21-27, 29-31 and 33-34 are generic and request the Examiner to provide reasons why these claims are not generic if the Examiner disagrees.

CONCLUSION

Applicant has now made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

Applicant believes that no fee is due. However, the Commissioner is hereby authorized to charge any other fees or to credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Chad C. Walters", with a stylized flourish at the end.

Chad C. Walters
Reg. No. 48,022

Date: June 26, 2006

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